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**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH**

In re:

AMMON EDWARD BUNDY
Debtor.

Bankruptcy No. 24-23530

Chapter 7

Honorable William T. Thurman

**ST. LUKE'S CREDITORS' REPLY IN SUPPORT OF THEIR MOTION FOR
EXTENSION OF TIME TO FILE THEIR SECTION 727 COMPLAINT**

St. Luke's Health System, Ltd., St. Luke's Regional Medical Center, Ltd., Chris Roth, Natasha Erickson, M.D., and Tracy Jungman, NP (together "St. Luke's Creditors"), submit their Reply in Support of Their Motion for Extension of Time to File Their Section 727 Complaint, as follows:

Introduction—Bundy has filed no objection to the relief requested.

1. The St. Luke's Creditors filed their motion to extend the deadline to file a complaint under section 727 of the Bankruptcy Code against Debtor Ammon E. Bundy ("Debtor") at docket no. 32 ("St. Luke's Motion"). The St. Luke's Creditors are seeking a 90-day extension. If the Court were to grant St. Luke's Motion, it would extend the time for the St. Luke's Parties to file a complaint to January 13, 2025.

2. United States Trustee Patrick S. Layng filed his similar paper at docket no. 37 (the "U.S. Trustee's Motion").

3. Debtor has not filed an opposition or response to St. Luke's Motion. Accordingly, the Court should grant St. Luke's Motion.

4. Debtor did file a "Response" to the U.S. Trustee's Motion at docket no. 143 ("Debtor's Response"). In Debtor's Response, Debtor wrote that he "does not object to the motion to extend requested by the United States Trustee Office." *Debtor's Response*, 1.

5. The St. Luke's Creditors would suggest that Debtor's consent to the similar relief that the U.S. Trustee has requested supports the relief the St. Luke's Creditors seek. There is no reason for this Court to treat the parties' motions differently.

Events since the St. Luke's Creditors' filing of their Motion support the relief requested.

6. The St. Luke's Creditors filed their Motion 24 days ago. Events since that time support the relief the St. Luke's Creditors seek.

7. Counsel to the St. Luke's Creditors Robert A. Faucher filed his declaration yesterday, at docket no. 157, addressing the St. Luke's Creditors' unsuccessful attempts to obtain documents from Debtor and conduct an oral examination of Debtor under Bankruptcy

Rule 2004. The St. Luke's creditors served their subpoena on Debtor by four different means. They followed up with Debtor more than ten times. Debtor did not merely refuse to produce documents and to attend the scheduled examination, he caustically spurned the creditors' efforts. *Faucher Declr. passim.*

8. For Debtor to refuse to provide discovery that he is legally obligated to produce is his modus operandi in litigation. The St. Luke's Creditors filed a declaration of Jennifer Jensen today at docket no. 159 addressing just a fraction of Debtor's refusals to submit to discovery in the prepetition Idaho state litigation. Debtor never produced any discovery, and never sat for a deposition, in the multiple and extensive prepetition Idaho state court lawsuits. *Jensen Declr. passim.*

9. To the extent the St. Luke's Creditors choose to continue to pursue Debtor for discovery under Rule 2004, it will take time. The St. Luke's Creditors are entitled to an extension of time to file their section 727 complaint in light of Debtor's continued obstructionist behavior.

The St. Luke's Parties wish to address Debtor's lengthy Response.

10. Notwithstanding that Debtor's Response was ostensibly filed in response to the U.S. Trustee's Motion, the paper in actuality consists of 15 pages of Debtor's negative views of the St. Luke's Creditors, their attorneys, and the events in Idaho that prompted Debtor to seek relief in this bankruptcy court. The St. Luke's Creditors wish to address Debtor's comments briefly.

11. Debtor cannot address the evidence that the St. Luke's Creditors presented at their two-week jury trial against him because Debtor chose not to attend. He was absent for the one-

hundred fifty-six exhibits admitted at trial. He was absent during all witness testimony, argument, and all other trial procedure. The trial transcript is approximately 1,960 pages. Debtor cannot speak to the trial; he chose not to be there.

12. Debtor did not appeal the judgment against him.

13. Collectively in its Default Judgment, Findings of Facts and Conclusions of Law, and Order on Verdict and Default Judgment, the trial court in the principal prepetition state court lawsuit dedicated 50 pages to identify the basis of its rulings, conclusions and judgment. Debtor, in Debtor's Response, does not address a single word or finding in those papers. Moreover, in his Response, Debtor identifies "Lynn Norton" as the "presiding judge" in the litigation. *Debtor's Response*, 5, 6. In fact, Judge Norton was *not* the presiding judge at the trial. A *different* judge entered the Default Judgment against Debtor, presided over the trial, and entered the Findings of Fact and Conclusions of Law, and the Order on Verdict and Default Judgment.

14. In short, then, Debtor's Response offers no insight to the any issue before this Court.

Conclusion

15. The Court should grant St. Luke's Motion, thereby granting the St. Luke's Creditors a 90-day extension of the deadline to file a complaint under section 727, to January 13, 2025.

DATED this 18th day of October, 2024.

HOLLAND & HART LLP

/s/ Engels J. Tejeda

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CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2024, I electronically filed the foregoing with the United States Bankruptcy Court for the District of Utah by using the CM/ECF system. I further certify that the parties of record in this case, as identified below, are registered CM/ECF user.

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